

1 THE LAW OFFICES OF DORN G. BISHOP, APC  
2 DORN G. BISHOP (SB#147994)  
3 701 B Street, Suite 1000  
4 San Diego, California 92101  
5 Telephone: (619) 233-3380

6  
7  
8  
9 Attorneys for Defendant  
10 WAYNE JOSEPH FERNANDES  
11  
12

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**  
**(HONORABLE BARRY TED MOSKOWITZ)**

UNITED STATES OF AMERICA,

Plaintiff,

v.  
PETER CARLO MERTENS (1),  
WAYNE JOSEPH FERNANDES (2),  
WILLIAM HAMMAN (3), and  
BETTINA THAKORE (4).

Defendants.

CASE NO.: 08CR0440-BTM

**DEFENDANT WAYNE JOSEPH  
FERNANDES' NOTICE OF MOTION  
AND MOTION TO JOIN MOTIONS OF  
CO-DEFENDANT WILLIAM HAMMAN  
(1) TO COMPEL DISCOVERY; AND  
(2) FOR LEAVE TO FILE FURTHER  
MOTIONS**

**Date: March 28, 2008**  
**Time: 1:30 p.m.**

**TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND  
SHERRI WALKER HOBSON, ASSISTANT UNITED STATES ATTORNEY**

PLEASE TAKE NOTICE that on March 28, 2008, at 1:30 p.m., or soon thereafter as counsel may be heard, Defendant Wayne Joseph Fernandes, by and through his attorney of record, Dorn G. Bishop of the Law Offices of Dorn G. Bishop, APC, will and hereby does move this court for an order joining Defendant William Hamman's motions (1) to compel discovery and (2) for leave to file further motions.

Counsel for Mr. Fernandes was informed earlier this week that approximately 1,700 pages of discovery from the Government are ready for production. Counsel anticipates that he will have obtained those materials and will have started to review them by the March 28, 2008 hearing in this matter. However, counsel will need additional time to complete his review, to conduct additional research, and to prepare appropriate pretrial motions. In addition, counsel is unaware at this time how much additional discovery the Government may be planning to produce, or when.

For these reasons, Mr. Fernandes respectfully suggests that the Court continue the motion hearing in this matter for a period of approximately sixty (60) days.

DATED: March 11, 2008

Respectfully submitted,

THE LAW OFFICES OF DORN G. BISHOP, APC

By: /s/Dorn G. Bishop  
Dorn G. Bishop  
Attorneys for Defendant Wayne Joseph Fernandes

1 THE LAW OFFICES OF DORN G. BISHOP, APC  
2 DORN G. BISHOP (SB#147994)  
3 701 B Street, Suite 1000  
4 San Diego, California 92101  
5 Telephone: (619) 233-3380

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Attorneys for Defendant  
WAYNE JOSEPH FERNANDES

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
(HONORABLE BARRY TED MOSKOWITZ)

UNITED STATES OF AMERICA,

Plaintiff,

v.

PETER CARLO MERTENS (1),  
WAYNE JOSEPH FERNANDES (2),  
WILLIAM HAMMAN (3), and  
BETTINA THAKORE (4).

Defendants.

CASE NO.: 08CR0440-BTM

**CERTIFICATE OF ECF SERVICE**

Date: March 28, 2008  
Time: 1:30 p.m.

**CERTIFICATE OF ECF SERVICE**

I am employed in the County of San Diego, State of California. I am over the age of 18 years and not a party to this action. My business address is 701 B Street, Suite 1000, San Diego, California 92101.

On March 13, 2008, I served the following document described as:

**DEFENDANT WAYNE JOSEPH FERNANDES' NOTICE OF MOTION AND  
MOTION TO JOIN MOTIONS OF CO-DEFENDANT WILLIAM HAMMAN (1)  
TO COMPEL DISCOVERY; AND (2) FOR LEAVE TO FILE FURTHER  
MOTIONS**

on the ECF system and served pursuant to General Order No. 550,

with:

**Clerk of the Court  
United States District Court  
Southern District of California  
880 Front Street  
San Diego, CA 92101**

Sherri Walker Hobson, AUSA  
U.S. Attorney's Office  
880 Front Street  
San Diego, CA 92101  
[sherri.hobson@usdoj.gov](mailto:sherri.hobson@usdoj.gov)  
Attorneys for Plaintiff United States of America

Patrick Q. Hall  
Seltzer Caplan McMahon Vitek  
750 B Street, Suite 2100  
San Diego, CA 92101  
Email: [hall@scmv.com](mailto:hall@scmv.com)

Frank J. Ragen II  
Law Offices of Frank Ragen  
105 West F Street, Suite 215  
San Diego, CA 92101  
Email: [fjragen@aol.com](mailto:fjragen@aol.com)  
Attorneys for Defendant William Hamman (3)

Lisa J. Damiani, Esq.  
Damiani Law Group  
701 B St #1110  
San Diego, CA 92101  
[ljdamiani@damianilawgroup.com](mailto:ljdamiani@damianilawgroup.com)  
**Attorneys for Defendant Bettina Thakore (4)**

Executed on March 13, 2008, at San Diego, California.

Kim Davis